



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHARLES BOYD,

Plaintiff,

- against -

LAYER CAKE CREATIVE SERVICES
LLC et al.,

Defendants.
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23-CV-2330 (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order resolves Plaintiff's letter motion at Dkt. 45 to compel non-party SRGG's compliance with the subpoena served on it, as well as the Court's June 21, 2023 order resolving Plaintiff's first motion to compel. Plaintiff makes several assertions about information that appears to be false, and about communications that presumably exist but were not produced. SRGG denies it has any further responsive documents and explains away seeming falsities as typographical errors. (See Dkt. 47.) There is a factual dispute, and considerable speculation, but nothing for the Court to compel at this time. If Plaintiff has suspicions about the adequacy of SRGG's compliance, then other discovery devices, such as depositions, provide Plaintiff with the means of developing a record to sustain a future application if warranted. Such a record, however, does not presently exist. Accordingly, Plaintiff's letter motion at Dkt. 45 is denied without prejudice.

The Clerk of Court is respectfully requested to terminate the letter motion at Dkts. 45 and 48.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: June 30, 2023
New York, New York

Copies transmitted this date to all counsel of record.